

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H1/24/07 H1/26/07

A Bill

HOUSE BILL 1173

5 By: Representatives Anderson, Adcock, J. Brown, Cook, Cooper, Cornwell, S. Dobbins, Dunn, L. Evans,
6 George, R. Green, D. Hutchinson, King, Lovell, Lowery, Medley, Norton, Pennartz, Petrus, Pyle,
7 Ragland, J. Roebuck, Sample, Stewart, Thyer, Breedlove, Harris, Kenney, Sullivan
8 By: Senators Bisbee, Baker, Hendren, G. Jeffress, Miller, Salmon
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For An Act To Be Entitled

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11 AN ACT TO REPEAL THE REQUIREMENT THAT SCHOOL
12 DISTRICTS MUST REQUIRE SCHOOLS IN THE SCHOOL
13 DISTRICT TO PROVIDE TO PARENTS AN ANNUAL BODY
14 MASS INDEX REPORT ON EACH STUDENT; AND FOR OTHER
15 PURPOSES.
16

Subtitle

17
18 AN ACT TO REPEAL THE REQUIREMENT THAT
19 SCHOOL DISTRICTS MUST PROVIDE TO PARENTS
20 AN ANNUAL BODY MASS INDEX REPORT ON EACH
21 STUDENT.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code 20-7-135 is amended to read as follows:

28 20-7-135. Nutrition and physical activity standards - Implementation.

29 (a) After having consulted the Child Health Advisory Committee and the
30 State Board of Health, the State Board of Education shall promulgate
31 appropriate rules and regulations to ensure that nutrition and physical
32 activity standards are implemented to provide students with the skills,
33 opportunities, and encouragement to adopt healthy lifestyles.

34 (b) The Division of Health of the Department of Health and Human
35 Services in consultation with the Department of Education shall:

36 (1) Employ one (1) qualified community health promotion



1 professional with training or experience, or both, in nutrition, chronic
2 disease, or another related field to be housed within the division to plan,
3 develop, implement, and evaluate pilot or model programs to support schools
4 and communities if funds are available;

5 (2) Employ one (1) statewide health promotion consultant to be
6 housed within the Department of Education if funds are available;

7 (3) Employ one (1) person as a community health promotion
8 specialist to support implementation of pilot or model programs in schools
9 and communities in nutrition and physical activity in several distinct
10 geographical areas of the state if funds are available; and

11 (4) Not use more than five percent (5%) of the annual Division
12 of Health of the Department of Health and Human Services Master Settlement
13 Agreement funds for the salaries or programs created under this subsection.

14 (c)(1) Every school district shall:

15 ~~(1)(A)~~ Prohibit for elementary school students in-school access
16 to vending machines offering food and beverages;

17 ~~(2)(B)~~ Require schools to include as part of the annual report
18 to parents and the community the amounts and specific sources of funds
19 received and expenditures made from competitive food and beverage contracts;

20 ~~(3)~~ ~~Require schools to include as a part of a student health~~
21 ~~report to parents an annual body mass index percentile by age for each~~
22 ~~student;~~ and

23 ~~(4)~~ ~~Require schools to annually provide parents with an~~
24 ~~explanation of the possible health effects of body mass index, nutrition, and~~
25 ~~physical activity.~~

26 (2) No school district is required to take or report the body
27 mass index of a student.

28 (d) The Department of Education shall:

29 (1) Begin the implementation of standards developed by the
30 committee and approved by the Department of Education; and

31 (2) Annually monitor and evaluate the implementation and
32 effectiveness of the nutrition and physical education standards.

33 (e) Every school district shall:

34 (1) Convene a school nutrition and physical activity advisory
35 committee that shall include members from school district governing boards,
36 school administrators, food service personnel, teacher organizations,

1 parents, students, and professional groups such as nurses and community
2 members to:

3 (A) Help raise awareness of the importance of nutrition
4 and physical activity; and

5 (B) Assist in the development of local policies that
6 address issues and goals, including, but not limited to, the following:

7 (i) Assisting with the implementation of nutrition
8 and physical activity standards developed by the school nutrition and
9 physical activity advisory committee with the approval of the Department of
10 Education and the State Board of Health;

11 (ii) Integrating nutrition and physical activity
12 into the overall curriculum;

13 (iii) Ensuring that professional development for
14 staff includes nutrition and physical activity issues;

15 (iv) Ensuring that students receive nutrition
16 education and engage in healthful levels of vigorous physical activity;

17 (v) Improving the quality of physical education
18 curricula and increasing training of physical education teachers;

19 (vi) Enforcing existing physical education
20 requirements; and

21 (vii) Pursuing contracts that both encourage healthy
22 eating by students and reduce school dependence on profits from the sale of
23 foods of minimal nutritional value;

24 (2) Begin the implementation of standards developed by the
25 committee with the approval of the Department of Education and the State
26 Board of Health; and

27 (3) Require that goals and objectives for nutrition and physical
28 activity be incorporated into the annual school planning and reporting
29 process.

30 (f) The Department of Education and the division shall report annually
31 on progress in implementing nutrition and physical education standards to the
32 chairs of the House Interim Committee on Public Health, Welfare, and Labor
33 and the Senate Interim Committee on Public Health, Welfare, and Labor.

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35 /s/ Anderson, et al
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